

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**JOHNNY EDWARD SMITH, aka “Tick,”
TERESA LOU MARTIN, aka “Coo,” and
MILTON TRAVIS WARRIOR,**

Defendants.

Case No. CR-08-025-FHS

FINAL ORDER OF FORFEITURE

WHEREAS, on March 30, 2009, March 31, 2009, and June 29, 2010, respectively, this Court entered a Preliminary Order of Forfeiture pursuant to the provisions of 21 U.S.C. § 853, as adopted by 18 U.S.C. § 982(b)(1), based upon the guilty plea by Defendants Johnny Edward Smith, aka Tick, Teresa Lou Martin, aka Coo, and Milton Travis Warrior, the Court's finding of Defendants' guilt, Defendants interests in the property alleged to be subject to forfeiture in Count Twenty-Eight of the Indictment.

AND WHEREAS, the United States caused to be posted on an official government internet site (www.forfeiture.gov) for at least 30 consecutive days, beginning on September 4, 2009, as required by Fed. R. Crim. P. 32.2(b)(6)(C) and Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and as specified in the Preliminary Orders, and further notifying all

third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property.

AND WHEREAS, it appears from the record that no claims, contested or otherwise, have been filed on the directly forfeitable property:

A. Money Judgment:

A sum of money equal to \$4,000,000 (four million dollars) in United States currency, representing the amount of proceeds obtained as a result of the offenses alleged in Count One.

B. Real Property

A tract of real estate situate in McIntosh County, Oklahoma, more particularly described as follows, to wit:

Lot nine (9) in block 133 in the City of Checotah, Oklahoma, according to the official plat thereof; also known as Lot 9, Block 133, Old Town of Checotah.

C. Firearms

1. a MAADI CO., 7.62 rifle, serial number CW 15319;
2. a Savage Arms, .410 shotgun, serial number A850729; and
3. a HI-POINT, 45 caliber pistol, serial number 429852.

IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

1. The right, title and interest to all of the hereinafter described property, whether real, personal and/or mixed, of Johnny Edward Smith, Teresa Lou Martin and Milton Travis Warrior, is hereby condemned, forfeited and vested in the United States of America, and shall be disposed of according to law:

A. Money Judgment:

A sum of money equal to \$4,000,000 (four million dollars) in United States currency, representing the amount of proceeds obtained as a result of the offenses alleged in Count One.

B. Real Property

A tract of real estate situate in McIntosh County, Oklahoma, more particularly described as follows, to wit:


Lot nine (9) in block 133 in the City of Checotah, Oklahoma, according to the official plat thereof; also known as Lot 9, Block 133, Old Town of Checotah.

C. Firearms

1. a MAADI CO., 7.62 rifle, serial number CW 15319;
2. a Savage Arms, .410 shotgun, serial number A850729; and
3. a HI-POINT, 45 caliber pistol, serial number 429852.

2. Any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposit, as well as any income derived as a result of the United States Department of Justice management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the forfeiture, sale and disposition of the forfeited property, shall be deposited forthwith by the United States Department of Justice into the Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

SO ORDERED this 4th day of January, 2011


Frank H. Seay
United States District Judge

Presented by:

MARK F. GREEN
United States Attorney

s/Linda A. Epperley

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